



\$~44

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 2527/2024, CRL.M.A. 24624/2024**

SH. SANTOSH THAKURPetitioner

Through: Appearance not given.

versus

THE STATE (NCT OF DELHI) & ANR.Respondents

Through: Mr. Anand V. Khatri, ASC with
Mr. Aditya Khatri Advocate and
W/SI Ingkumnaro, PS: New Ashok
Nagar.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

29.10.2025

%

1. Writ Petition under Section 482 Cr.P.C. has been filed for quashing of FIR No.0869/2014 under Section 376 IPC and Section 4 POCSO Act, registered at PS: New Ashok Nagar and all consequential proceedings emanating therefrom.
2. Learned counsel for the Petitioner submits that Prosecutrix / Respondent No.2 has married with Petitioner's younger brother and they are living happily together since long in the same house. Therefore the FIR be quashed.
3. Learned ASC for the State objected to quashing of FIR on the ground that merely because the Prosecutrix / Respondent No.2 has married Petitioner's younger brother, cannot be a ground for quashing the FIR, as the offence has been committed, as is evident from the fact she has one child from the Petitioner and two children from wedlock with Petitioner's younger brother.



4. It is further submitted that the case is now at the stage of statement of accused and therefore, quashing of FIR cannot be permitted.

Submissions heard and record perused.

5. It is a case where quashing of FIR has been sought on merits and on the ground that Prosecutrix / Respondent No.2 has married Petitioner's younger brother and are living together happily in the same house. However, she may have got settled with Petitioner's younger brother in her life, but it does not take away the criminality of the act, in respect of which present FIR was registered. In any case, the case is at the stage of statement of the accused

6. It is not a fit face for quashing of FIR No.0869/2014 under Section 376 IPC and Section 4 POCSO Act, registered at PS: New Ashok Nagar.

7. In view of aforesaid, Writ Petition along with pending Applications is dismissed.

NEENA BANSAL KRISHNA, J.

OCTOBER 29, 2025/R